THE HONORABLE KYMBERLY K. EVANSON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

EMILY YATES,

                    Plaintiff,

    vs.

NORTHWEST BARRICADE & SIGNS, a
Washington Limited Liability Corporation, and
NORTHWEST FLAGGING, a Washington
Limited Liability Corporation.

                    Defendants.

NO. 2:22-cv-01518-KKE

STIPULATED MOTION AND ORDER TO MODIFY CIVIL TRIAL SCHEDULING ORDER

<u>STIPULATED MOTION</u>

Pursuant to LCR 7(d)(1) and LCR 7(j), the parties hereby jointly request that the Court modify certain deadlines and the trial date as currently scheduled in the Civil Trial Scheduling Order (Dkt. #27).

On October 25, 2022, Plaintiff Emily Yates filed her original complaint in this action against defendants Northwest Barricade & Signs and Northwest Flagging (collectively "Defendants") (Dkt. #1). On December 5, 2022, Plaintiff filed her first amended complaint (Dkt. #5). On July 27, 2023, Plaintiff filed her second amended complaint (Dkt. #20).

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1   This case was previously assigned to the Honorable John H. Chun. On September 7,

2 2023, the case was reassigned to this Court. The parties are currently operating under the

3 deadlines imposed by the Minute Order Setting Trial Date and Related Dates entered by Judge

4 Chun on January 4, 2023 (Dkt. #11). That order sets a trial date of January 2, 2024. By

5 stipulated order dated October 5, 2023, the current discovery cutoff was extended from

6 September 5, 2023 to October 5, 2023 (Dkt. #25).

7   After entry of the Court's Civil Trial Scheduling Order, the parties have worked

8 diligently to engage in discovery. Initial disclosures and written discovery have been

9 exchanged, and a number of depositions have been taken. However, recent depositions have

10 revealed the need for additional discovery, which will not be possible to complete before the

11 existing discovery cutoff. Further, the parties would like additional time to see if the case can

12 be resolved prior to trial, including via mediation or other settlement discussions. The parties

13 have conferred and believe that good cause exists to continue the trial date and remaining case

14 scheduling deadlines, including the discovery cutoff date, to complete this additional discovery

15 and pursue potential resolution of the matter. Therefore, the parties jointly propose a

16 continuance of the trial date to July 2024 (trial counsel for all parties are available this month),

17 as follows:

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Event	Current Deadline	Proposed Deadline
Disclosure of Expert Testimony under FRCP 26(a)(2)	July 6, 2023	January 5, 2024
Discovery motions filing deadline (LCR 7(d))	August 7, 2023	February 9, 2024
Discovery cutoff, including expert depositions	October 5, 2023	March 8, 2024
Settlement conference or Rule 39.1 Mediation	November 3, 2023	May 3, 2024
Motions in Limine	November 21, 2023	May 16, 2024
Agreed Pretrial Order	December 12, 2023	June 14, 2024
Deposition Designations submitted to Court (not filed on CM/ECF)	December 14, 2023	June 17, 2024

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Pretrial Conference	December 19, 2023	June 21, 2024
Trial Briefs	December 26, 2023	June 28, 2024
Trial	January 2, 2024	July __, 2024

The parties respectfully request that the Court enter an order approving these dates and resetting the other pretrial deadlines accordingly, or alternatively, to approve such other dates as fit the Court's schedule.

RESPECTFULLY SUBMITTED this 26TH day of September, 2023.

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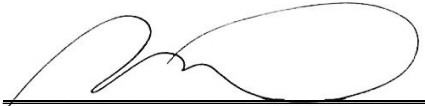SEATTLE, WA 98101
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ORDER

The Court GRANTS IN PART and DENIES IN PART the parties' stipulated motion to modify the scheduling order (Dkt. No. 27), in that the Court's preferred case schedule is similar but not identical to the dates proposed by the parties. The courtroom deputy shall issue an amended case schedule in accordance with the Court's preferences and calendar.

DATED this 27th day of September, 2023.

Kymberly K Evanson
_____

Kymberly K. Evanson
United States District Judge

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CERTIFICATE OF SERVICE

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I hereby certify that on the date below written, I electronically filed the foregoing

4

Stipulated Motion and Proposed Order to Modify Case Schedule with the Clerk of the Court

5

using the CM/ECF system and caused to be served a true and correct copy of same by the

6

method indicated below and addressed as follows:

7

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8

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10

Attorney for Plaintiff

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I declare under penalty of perjury under the laws of the United States of America that

13

the foregoing is true and correct.

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Executed on September 26TH, 2023, in accordance with 28 USC 1746.

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*/s/ Tammy Weisser*_____
Tammy Weisser, Legal Secretary

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